

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

HESHAM ISMAIL, :
 :
 Plaintiff : CIVIL ACTION NO. 3:19-1305
 :
 v. : (JUDGE MANNION)
 :
 MCDERMOTT :
 INTERNATIONAL, :
 INC., *formerly CB&I, et al.*, :
 :
 Defendants :

ORDER

In accordance with the memorandum issued this same day, **IT IS
HEREBY ORDERED THAT:**

- (1) The plaintiff's objections to the report and recommendation of Judge Schwab (**Doc. 120**) are **OVERRULED**.
- (2) The report of Judge Schwab recommending that the Honeywell defendants' motion to dismiss be granted (**Doc. 118**) is **ADOPTED IN ITS ENTIRETY AS THE DECISION OF THE COURT**.
- (3) The plaintiff's second amended complaint (**Doc. 84**) is **DISMISSED** as against the Honeywell defendants only without further leave to amend.

- (4) As a result of the dismissal of the plaintiff's second amended complaint against the Honeywell defendants, the report of Judge Schwab relating to the Honeywell defendants' motion for protective order and motion to compel discovery (**Doc. 119**) is **ADOPTED** to the extent that the motion for protective order (**Doc. 104**) and the motion to compel discovery (**Doc. 112**) are **DISMISSED AS MOOT**.
- (5) The instant action is **REMANDED** to Judge Schwab for further proceedings relating to the remaining defendant.

s/ Malachy E. Mannion
MALACHY E. MANNION
United States District Judge

DATE: March 17, 2022

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